



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/813,487	03/21/2001	Gene F. Lee	0007056-0081/P5192/RJL	2110

23879 7590 03/30/2006

BRIAN M BERLINER, ESQ  
O'MELVENY & MYERS, LLP  
400 SOUTH HOPE STREET  
LOS ANGELES, CA 90071-2899

EXAMINER

ISMAIL, SHAWKI SAIF

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 03/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/813,487

Applicant(s)

LEE ET AL.

Examiner

Shawki S. Ismail

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,4-8,11,12,14,15 and 18-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 4-8, 11-12, 14-15 and 18-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### **RESPONSE TO AMENDMENT**

1. This action is responsive to the amendment received on July 17, 2006.

Claims 1, 8, 15 and 19 have been amended.

Claims 2-3, 9-10, 13 and 16-17 have been cancelled.

Claims 1, 4-8, 11-12, 14-15 and 18-21 are pending.

### **The Old rejection maintained**

The rejection is respectfully maintained as set forth in the last Office Action mailed on October 21, 2004. Applicants' arguments with respect to the pending claims have been fully considered but they are not persuasive and the old rejection is maintained

### **Claim Rejections - 35 USC § 103**

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4-8, 11-12, 14-15 and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over **East et al.** (East), U.S. Patent Application Publication No. **US 2003/0061323** and further in view of **Prager et al.** (Prager), U.S Patent No. **5,838,918**.
4. As to claim 1, East teaches the method for administration of a thin client architecture comprising:

providing a plurality of administrators ([0049], multiple administrative servers may be allowed for a particular thin client);

distributing a plurality of administrative tasks among said administrators ([0051], by designating multiple administrative servers and using a hierarchy, the task of updating thin clients may be distributed); and

executing said administrative tasks ([0052], a thin client management program is executed on one or more of the administrative servers.)

East does not explicitly teach wherein the distributing includes dividing said administrative tasks into a plurality of task groups, each task group comprising common needs of a subset of users in a system wherein a first number of said task groups is equal to a second number of said administrators.

Prager teaches Management-by-subscription, through the use of template objects, allows distributed system's administrators to divide management tasks between different individuals while maintaining system security, provide a consistent means of propagating and enforcing management policies, and encourage configuration consistency across different platforms (col. 5, lines 29-35).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Prager into the invention of East in order to increase the ease and efficiency of the configuration management task in large, complex, distributed networks (see abstract).

5. As to claim 4, East teaches the method of claim 1 wherein said administrative tasks are user account creation tasks ([0073], the master administrator configures

Art Unit: 2155

additional password and performs administrative tasks, one of which might be account creation.)

6. As to claim 5, East teaches the method of claim 1 wherein said administrative tasks are workgroup administration tasks ([0009], thin clients may be organized into arbitrary groups or clusters.)

7. As to claim 6, East teaches the method of claim 1 wherein said administrators are educators (an administrator is the manager of LAN and therefore is the educator to those connected to the network by configuring the network, maintaining the network's shared resources and security, assigning passwords and privileges and helping users.)

8. As to claim 7, East teaches the method of claim 1 further comprising:

storing an account state for a user; and routing said account state to a terminal wherein said user is logged into said terminal (East does teach that a network administrator performs administrative task [0009], however East does not explicitly teach account creation. Newton's Telecom Dictionary 20<sup>th</sup> edition states that one of the duties of an network administrator is to assign passwords and privileges to users of the network, therefore in order to do such a duty the administrator needs to store the account for the user and route the account to a terminal where the user can have access to the network.)

9. As to claim 8, East teaches an administration system for a thin client architecture comprising:

a plurality of administrators ([0049], multiple administrative servers may be allowed for a particular thin client), the administrators being educators of students,

Art Unit: 2155

wherein the students are users of a system; (an administrator is the manager of LAN and therefore is the educator to those connected to the network by configuring the network, maintaining the network's shared resources and security, assigning passwords and privileges and helping users);

a distribution mechanism configured to distribute a plurality of administrative tasks among said administrators ([0051], by designating multiple administrative servers and using a hierarchy the task of updating thin clients may be distributed),

a task execution device configured to enable said administrators to execute said administrative tasks ([0052], a thin client management program is executed on one or more of the administrative servers.)

East does not explicitly teach wherein the distribution mechanism includes dividing said administrative tasks into a plurality of task groups, each task group comprising common needs of a subset of users in a system wherein a first number of said task groups is equal to a second number of said administrators.

Prager teaches Management-by-subscription, through the use of template objects, allows distributed system's administrators to divide management tasks between different individuals while maintaining system security, provide a consistent means of propagating and enforcing management policies, and encourage configuration consistency across different platforms (col. 5, lines 29-35).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Prager into the invention of East in

order to increase the ease and efficiency of the configuration management task in large, complex, distributed networks (see abstract).

10. As to claim 11, East teaches the administration system of claim 8 wherein said administrative tasks are user account creation tasks ([0073], the master administrator configures additional password and performs administrative tasks, one of which might be account creation.)

11. As to claim 12, East teaches the administration system of claim 8 wherein said administrative tasks are workgroup administration tasks ([0009], thin clients may be organized into arbitrary groups or clusters.)

12. As to claim 14, East teaches the administration system of claim 8 further comprising:

a storage unit configured to store an account state for a user; and a router configured to route said account state to a terminal wherein said user is logged into said terminal (East does teach that a network administrator performs administrative task [0009], however East does not explicitly teach account creation. Newton's Telecom Dictionary 20<sup>th</sup> edition states that one of the duties of an network administrator is to assign passwords and privileges to users of the network, therefore in order to do such a duty the administrator needs to store the account for the user and route the account to a terminal where the user can have access to the network.)

13. As to claim 15, East teaches a computer program product comprising:  
a computer usable medium having computer readable program code embodied therein configured for administration of a thin client architecture, comprising:

computer readable code configured to cause a computer to provide a plurality of administrators ([0049], multiple administrative servers may be allowed for a particular thin client);

computer readable code configured to cause a computer to distribute a plurality of administrative tasks among said administrators ([0051], by designating multiple administrative servers and using a hierarchy the task of updating thin clients may be distributed), wherein the distributing includes causing the computer to divide said administrative tasks into a plurality of task groups wherein a first number of said task groups is equal to a second number of said administrators; and

computer readable code configured to cause a computer to enable said administrators to execute said administrative tasks ([0052], a thin client management program is executed on one or more of the administrative servers.)

East does not explicitly teach wherein the distributing includes dividing said administrative tasks into a plurality of task groups, each task group comprising common needs of a subset of users in a system wherein a first number of said task groups is equal to a second number of said administrators.

Prager teaches Management-by-subscription, through the use of template objects, allows distributed system's administrators to divide management tasks between different individuals while maintaining system security, provide a consistent means of propagating and enforcing management policies, and encourage configuration consistency across different platforms (col. 5, lines 29-35).



It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Prager into the invention of East in order to increase the ease and efficiency of the configuration management task in large, complex, distributed networks (see abstract).

14. As to claim 18, East teaches the computer program product of claim 15 wherein said administrative tasks are user account creation tasks ([0073], the master administrator configures additional password and performs administrative tasks, one of which might be account creation.)

15. As to claim 19, East teaches the computer program product of claim 15 wherein said administrative tasks are workgroup administration tasks ([0009], thin clients may be organized into arbitrary groups or clusters.)

16. As to claim 20, East teaches the computer program product of claim 15 wherein said administrators are educators (an administrator is the manager of LAN and therefore is the educator to those connected to the network by configuring the network, maintaining the network's shared resources and security, assigning passwords and privileges and helping users.)

17. As to claim 21, East teaches the computer program product of claim 15 further comprising:

computer readable code configured to cause a computer to store an account state for a user; and computer readable code configured to cause a computer to route said account state to a terminal wherein said user is logged into said terminal (East does teach that a network administrator performs administrative task [0009], however

Art Unit: 2155

East does not explicitly teach account creation. Newton's Telecom Dictionary 20<sup>th</sup> edition states that one of the duties of an network administrator is to assign passwords and privileges to users of the network, therefore in order to do such a duty the administrator needs to store the account for the user and route the account to a terminal where the user can have access to the network.)

### **Response to Arguments**

18. Applicant's amendments and arguments have been fully considered but are not considered persuasive. Applicant argues in substance that:

(A) Argument: One page 7 of the remarks applicant argues that East and Prager combined do not disclose a method of administration of a thin client architecture in which administrative tasks are divided into a plurality of task groups where each task group comprises the common needs of a discrete subset of users.

Response: These limitations are not found in the claims. Claimed subject matter not the specification is the measure of the invention. Disclosure contained in the specification cannot be read into the claims for the purpose of avoiding prior art. In re Sporck, 55 CCPA 743, 386 F.2d 924, 155 USPQ 687 (1986); In re Self, 213 USPQ 1, 5 (CCPA 1982); In re Priest, 199 USPQ 11, 15 (CCPA 1978). The applicant is reminded that the claims must be given their broadest reasonable interpretation. The claim language fails to clearly recite that each task group comprising common needs of a discrete subset of users, the claims merely recite that the each task group comprising common needs of a subset of user and does not teach that the task comprise common needs of separate and distinct subset of users.

(B) Argument: On page 8 of the remarks applicant argues that East and Prager combined do not disclose an administration system for a thin client architecture which provides a plurality of administrators who are the educators of students with the students being users of a system.

Response: The applicant is reminded that the claims must be given their broadest reasonable interpretation. The claim language fails to clearly recite that the administrators are the teachers of students, the claim merely states that the administrators are the educators which has been interpreted broadly, an administrator is the manager of LAN and therefore is the educator to those connected to the network by configuring the network, maintaining the network's shared resources and security, assigning passwords and privileges and helping users.

If all the claims can be amended to clarify what applicant regards as his invention as explained above in the response to arguments, the amendment will likely overcome the cited prior art.

### **Conclusion**

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

Art Unit: 2155

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### **Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail  
Patent Examiner  
March 28, 2006



SALEH NAJJAR  
SUPERVISORY PATENT EXAMINER